THE HONOURABLE SRI JUSTICE RAMESH RANGANATHAN

W.P. NO. 13286 of 2003

DATED: 22-08-2007

Between:-

Avula Saida Reddy and 3 others.

…PETITIONERS

and

The Kakatiya University, Warangal, represented by its Registrar and two others.

…RESPONDENTS

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O R D E R

Questioning the action of the respondents, in not allowing the petitioners to pursue their Degree Course by cancelling their admission after they had completed their first year of the Degree Course, as arbitrary and illegal and in violation of the principles of natural justice, the present writ petition is filed.

Petitioners herein claim to have qualified in the Senior School Examination conducted by the All India Board of Secondary Education, New Delhi. They were admitted to Degree Course, in the affiliated colleges of Kakatiya University, for the year 2001-2002. It is their case that their admission was only after scrutiny and verification of their certificates and that the Senior School Examination, conducted by the All India Board of Secondary Education, New Delhi, is equivalent to the Intermediate course or 10+2 course. It is their case that, while matters stood thus, their admission was cancelled by the 1st respondent. Petitioners would contend that, even though no orders were passed, the colleges were informed orally not to permit the petitioners to pursue their under graduate courses.

A counter affidavit is filed on behalf of the 1st respondent, wherein it is stated that the 3rd respondent-college, entertaining doubts about the validity of the qualifying examination, had admitted the petitioners after taking an undertaking from each of them to the effect that they cannot claim admission if their qualification of Senior School Examination, obtained from All India Board of Secondary Education, New Delhi, was not recognized by the concerned authority. Respondents would stated that this certificate was found to be fake and that there was furore in the print media. A reference is made to the fact that the Secretary, All India Board of Secondary Education, Delhi, vide letter dated 16-11-2000, had requested the respondent university to recognize the 12th Class Examination conducted by them as equivalent to Intermediate in Andhra Pradesh for admission to the 1st year Degree Course under the jurisdiction of Kakatiya University, that the University, vide letter dated 11-12-2000, had informed the Secretary of the Board to send a detailed syllabi of the course, that the Secretary of the Board, vide letter dated 29-09-2001, had sent the detailed syllabi of the 12th Class Examination conducted by the Board and that the syllabi and scheme of the said course had been referred to the academic bodies and based on their recommendations, the course was recognized by the University in January, 2002. It is stated that, as per the records submitted by the Secretary of the fake Board, some other universities had also

recognized the Secondary School Certificate issued by the Board which was later found to be a fake board and not to be in existence, that on the matter being high-lighted in the print media, a person was deputed to Hyderabad to ascertain the genuineness of recognition of the Board by various universities in the State and, after careful examination of the bona fides of the said Board, it was found that the documents submitted by the Board were false and fake, that the whole matter was placed before the Standing Committee of the Academic Senate in its Emergency meeting held on 29-07-2002 and that, as per the decision taken by the Standing Committee, a letter was addressed to all the Principals of Colleges affiliated to the university, derecognizing the said Board and canceling all the admissions of the students, who had sought admission with the 10+2 education certificates issued by the said Board. Respondents would refer to cancellation of the admissions of other similarly situated candidates and contend that the university had cancelled all such illegal admissions and had not directed any one to continue in their under-graduate courses.

The qualification for admission into an under-graduate course is a pass in the Intermediate course (10+2). It is on the basis of the Senior School Examination certificate issued by the All India Board of Secondary Education, New Delhi as being equivalent to Intermediate Course or 10+2 course, that the petitioners were admitted in the 1st year under-graduate course. Since the very Board, which had issued such a certificate, was later found to be fake, the qualification of

petitioners of 10+2 not being genuine, they do not possess the minimum educational qualifications required for admission into under-graduate courses. The action of the respondents-university, in directing the colleges to cancel the admission of students who had obtained such fake qualification, cannot, therefore, be faulted. The writ petition fails and is, accordingly, dismissed. No costs.

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RAMESH RANGANATHAN, J

Dated: 22-08-2007
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